

**JOHNSON CITY REGIONAL PLANNING COMMISSION
MINUTES
November 13, 2012**

MEMBERS PRESENT: Brenda Clarke
Kevin Cole, Vice-Chairman
Greg Cox, Secretary
Thomas Hord
John Hunter, Assistant Secretary
Dan Rutledge
Clayton Stout
Joe Wise
Jim Woods, Chairman

MEMBERS ABSENT: Robert Thomas

STAFF PRESENT: Angie Carrier, Development Services Director
Jessica Harmon, Planner
Dustin King Daniels, Administrative Coordinator
Steve Neilson, Development Coordinator
Travis Olinger, W/S Engineering Service Coordinator
Tim Seaton, Construction Inspector

Chairman Woods called the meeting to order at 6:00 p.m. Commissioner Stout gave the invocation and led the Pledge of Allegiance.

The minutes of the regularly scheduled Planning Commission meeting on October 9, 2012, were approved unanimously.

The first item was to consider Final Plat approval of Cedar Crest Subdivision, Phase 1. Steve Neilson presented the staff report and stated that this was a 20-lot, 12.27 acre subdivision located at the intersection of Austin Springs Road and Hyder Hill Road. The Engineering Division originally calculated a bond of \$63,700 to complete the remaining improvements. Mr. Neilson further explained that the bond was revised to \$35,000. The Water and Sewer Department and the Engineering Division have both reviewed the plat and recommend approval. Staff recommended Final Plat approval conditioned upon a bond of \$35,000 to complete the remaining improvements.

Public hearing was held and no one spoke.

Commissioner Rutledge asked why such a significant bond reduction, and Mr. Neilson stated that the petitioner revised the 20-lot subdivision to 15 lots.

**Motion: Hord
Second: Clarke**

To grant Final Plat approval of Cedar Crest Subdivision, Phase 1, conditioned upon a bond of \$35,000 to complete the remaining improvements.

The motion passed by a 9 – 0 vote.

The next item was to consider the renaming of Highway 11-E, Austin Springs Road, and Pickens Bridge Road. Jessica Harmon presented the staff report and stated that the Planning Commission was requested to rename three streets inside the city limits. The request was submitted by the Washington County Emergency Communications Department (9-1-1) due to a public safety concern regarding duplication of addresses and address ranges. Ms. Harmon explained that beginning at the intersection of Bristol Highway/U.S. Highway 11-E and Edgefield Road continuing north to the intersection of U.S. Highway 11-E and Piney Flats Road, they will be addressed as Bristol Highway. To correct the duplicate address ranges on Austin Springs Road, a designation of North will be assigned to the portion of road that lies in Sullivan County and a designation of South will be assigned to the portion of road that lies in Washington County. Ms. Harmon also explained to correct the duplicate address ranges on Pickens Bridge Road, a designation of North will be assigned to the portion of road that lies in Sullivan County and a designation of South will be assigned to the portion of road that lies in Washington County. Staff recommended that the Planning Commission rename the streets as requested.

Public hearing was held and no one spoke.

Motion: Stout
Second: Rutledge

To recommend approval to the renaming of a portion of U.S. Highway 11-E to Bristol Highway; all of Austin Springs Road to North/South Austin Springs Road; and all of Pickens Bridge Road to North/South Pickens Bridge Road.

The motion passed by a 9 – 0 vote.

The next item was to consider Rezoning Request # 967, R-3 (Medium Density Residential) to B-4 (Planned Arterial Business), for a portion of 106 Browns Road. Jessica Harmon presented the staff report and stated that the request is for a .90-acre portion of a 1.58-acre parcel, currently developed with a residential structure. The petitioner, The Broadway Group, proposes to construct a retail store. The Johnson City Land Use Plan, 2020 designated this area for Commercial Uses. A neighborhood meeting was scheduled to be held on November 12, 2012, and staff has not received any calls in opposition to the request. A Concept Plan for this rezoning request is required, and the petitioner has submitted a plan that reflects a retail store with a parking area, dumpster pad location, and buffering location shown. Staff recommended that the rezoning request and associated Concept Plan be approved.

Public hearing was held:

Melanie Lamar, 132 Holmes Avenue, Huntsville, Alabama, spoke in favor of the request. Ms. Lamar stated that she was representing the Broadway Group, and was there to answer any questions the Planning Commission may have.

Motion: Wise
Second: Clarke

To recommend approval to Rezoning Request # 967, R-3 to B-4, for a portion of 106 Browns Road and associated Concept Plan.

The motion passed by a 9 – 1 (Hord) vote.

The next item was to consider Zoning Map amendments for the Design Overlay (DO) district. Angie Carrier presented the staff report and stated that Planning Division is proposing amendments to the Zoning Map. Such amendments will: 1) remove the Highway Corridor Overlay (HCO) district from the State of Franklin Road corridor; 2) replace the HCO district with the Design Overlay (DO) district on the properties that fall within the stated boundary (extends outward 300 feet from the edge of right-of-way); and 3) place the DO district on the remainder of the designated properties located along the State of Franklin corridor, and also on the designated properties located on portions of the University Parkway and West Market Street corridors. Adopted by the City Commission on September 20th, the Design Overlay (DO) district includes provisions for regulating building facades and includes design standards for many aspects of development. Staff recommended that the Planning Commission recommend approval of the amendments to the Zoning Map to the City Commission.

Public hearing was held:

Ken Gough, 710 West Walnut Street, spoke against the request. Mr. Gough stated that he was the owner of Accurate Machine Products Corporation, and was concerned with no return on investment with any significant changes made to his property. Mr. Gough stated that the proposed guidelines need to be reconsidered.

Brian Ponder, 915 West Market Street, spoke against the request. Mr. Ponder stated that he was the owner of Ponder Auto, which included 917, 919, and 921 West Market Street. Mr. Ponder inquired as to how his properties would be affected by the facade guidelines if he ties his buildings together to look as one development aesthetically.

Herman Hagie, 1011 West Market Street, spoke against the request. Mr. Hagie stated that he was concerned with the HCO area, and inquired as to why it was not considered.

Commissioner Cole questioned the direction the overlay was shown on the map, and Commissioner Stout recommended a short recess. Chairman Woods announced that the Planning Commission, if no objection, would take a 10 minute recess to allow staff time to verify the accuracy of the map.

After the short recess, Chairman Woods declared the meeting back in order. Ms. Carrier stated that the map was accurate and explained that the City Commission changed the direction of the Design Overlay (DO) during a previous workshop.

Mr. Hagie stated that he was opposed to the direction of the Design Overlay (DO) and the restrictive guidelines regarding the use of his property.

Commissioner Cole inquired as to the City Commission's reasoning for changing the direction, and Commissioner Stout stated that the Commission looked at the area toward downtown as the focus for facade enhancement.

Dr. Carolyn Baker, no address given, spoke neither in favor nor against the request. Dr. Baker stated that, in her opinion, the guidelines seemed very restrictive.

After much discussion by the Commission and staff regarding use and clarification of the imposing guidelines, Commissioner Cole recommended to defer consideration until a later date.

Motion: Cole
Second: Wise

To defer consideration to Zoning Map amendments for the Design Overlay (DO) district to allow additional time to determine legal aspects for non-conforming provisions.

The motion passed by an 8 – 1 (Stout) vote.

The last item to consider was the annexation of 3621 West Walnut Street, with R-4 (Medium Density Residential) zoning. Jessica Harmon presented the staff report and stated that the property consists of 6.6-acres and the request is from the property owner, Scott Landy. Mr. Landy proposes a multi-family development up to 80 units. The property is located within the Urban Service Area. Ms. Harmon stated that she has received (5) five phone call inquiries, and a petition containing over 100 signatures from area residents in opposition. Staff recommended approval of the annexation, R-4 zoning, and the Plan of Services.

Public hearing was held:

Scott Landy, 3621 West Walnut Street, spoke in favor of the request. Mr. Landy stated that he was the owner and petitioner of the request, and has teamed up with architect, Uwe Rothe, to develop a 60-unit development.

Commissioner Stout asked Mr. Landy if he would be hiring local workers for the development. Mr. Landy stated yes, that he would subcontract most of the work out. Commissioner Stout also asked how long it would take to complete the project, and Mr. Landy stated 2-3 years, phasing in 20 units at a time.

Brad Reed, 146 Park Drive, spoke against the request. Mr. Reed stated that he was concerned with spot zoning and the negative impact resulting from the proposed multi-family zoning being placed so close to the existing single-family zoning.

Scott Chapman, 111 Peachtree Place, spoke against the request. Mr. Chapman stated that he was concerned with the density and increased traffic as a result of the proposed development and requested for denial.

Commissioner Hord expressed concern with the “donut hole” created by 3539 West Walnut Street.

Mike Woodson, 142 Park Drive, spoke against the request. Mr. Woodson stated that he was concerned with the proposed R-4 zoning designation and the increase in traffic, crime, and noise if the multi-family units were developed.

Commissioner Woods inquired as to the one-foot buffer strip. Ms. Harmon stated that the one-foot buffer strip is to prevent, by state law, a “donut hole”; which gives the county access, and the city’s legal counsel advised staff to request such.

After concern by the Planning Commission was expressed, Commissioner Hord requested to defer to allow staff time to review further. Commissioner Rutledge asked if a one-foot buffer strip has been approved with annexation requests in the past, and Ms. Harmon stated yes.

Motion: Hord
Second: Cole

To defer consideration to the annexation of 3621 West Walnut Street, R-4 zoning, and the Plan of Services to allow staff time to review legal ramifications of the one-foot buffer strip around the proposed property.

The motion passed by an 8 – 1 (Wise) vote.

There being no further business, the meeting was adjourned at 7:15 p.m.

APPROVED:

SIGNED:

Jim Woods, Chairman

Greg Cox, Secretary